

Regular Session, 2008

# ACT No. 749

HOUSE BILL NO. 1159

BY REPRESENTATIVE ST. GERMAIN

1 AN ACT

2 To enact R.S. 40:1651, relative to emergency elevator access; to provide for emergency  
3 elevator access; to require one master key; to allow for substitute emergency  
4 measures; to provide for enforcement; to provide for penalties; to grant rulemaking  
5 authority; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1651 is hereby enacted to read as follows:

8 §1651. Emergency elevator access; master key; substitute emergency measures;  
9 enforcement; penalty; rulemaking authority

10 A. For each building in this state which is six or more stories in height,  
11 including but not limited to hotels and condominiums, which is constructed or  
12 substantially renovated after January 1, 2009, all of the keys for elevators that allow  
13 public access, including but not limited to service and freight elevators, shall be  
14 keyed so as to allow all elevators to operate in fire emergency situations with one  
15 master elevator key.

16 B. Each existing building in this state which is six or more stories in height  
17 shall comply with Subsection A of this Section before January 1, 2012.

18 C. In addition to elevator owners, owners' agents, elevator contractors, state-  
19 certified inspectors, and state agency representatives, master elevator keys shall be  
20 issued only to the fire department in whose jurisdiction the building is located and  
21 shall not be issued to any other emergency response agency. A person shall not  
22 duplicate a master elevator key for issuance to, or issue such a key to, anyone other  
23 than the authorized fire department personnel. Each master elevator key shall be  
24 marked "DO NOT DUPLICATE".

1           D. If it is technically, financially, or physically impossible to bring a  
2           building into compliance with this Section, the state fire marshal may allow  
3           substitute emergency measures that will provide reasonable emergency elevator  
4           access.

5           E. The office of state fire marshal shall enforce this Section. Any person  
6           who fails to comply with the requirements of this Section is subject to an  
7           administrative fine of not more than one thousand dollars, in addition to any other  
8           penalty provided by law. All administrative fines shall be deposited into the  
9           Louisiana Fire Marshal Fund.

10          F. Architects and builders shall make every effort to use new technology and  
11          developments in keying systems which make it possible to convert existing  
12          equipment so as to provide efficient emergency elevator access.

13          G. The office of state fire marshal shall adopt rules, pursuant to the  
14          Administrative Procedure Act, to implement the provisions of this Section.

15          H. For the purposes of this Section, "substantially renovated" means an  
16          existing building which has alterations or repairs costing in excess of fifty percent  
17          of the then physical value of the building. The cost of alterations or repairs shall be  
18          established by an estimate signed by a licensed architect, by a licensed general  
19          contractor, or in the absence of either such licensed person, by the state fire marshal.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_